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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,390	11/03/2003	Daniel Skorez		5807

24381 7590 12/16/2004

BRANDE AND MCCLEARY  
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EXAMINER

ADAMS, GREGORY W

ART UNIT PAPER NUMBER

3652

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/700,390

Applicant(s)

SKOREZ, DANIEL

Examiner

Gregory W. Adams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO 1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_

Does Not Apply 6/4

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Referring to specification pages 1 and 2, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

### ***Oath/Declaration***

It does not identify the citizenship of each inventor.

### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Referring to claim 1, page 9, line 10, the "turntable or thrust bearing" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate

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changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 1 recites the limitation "turntable bearing" in line 10. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

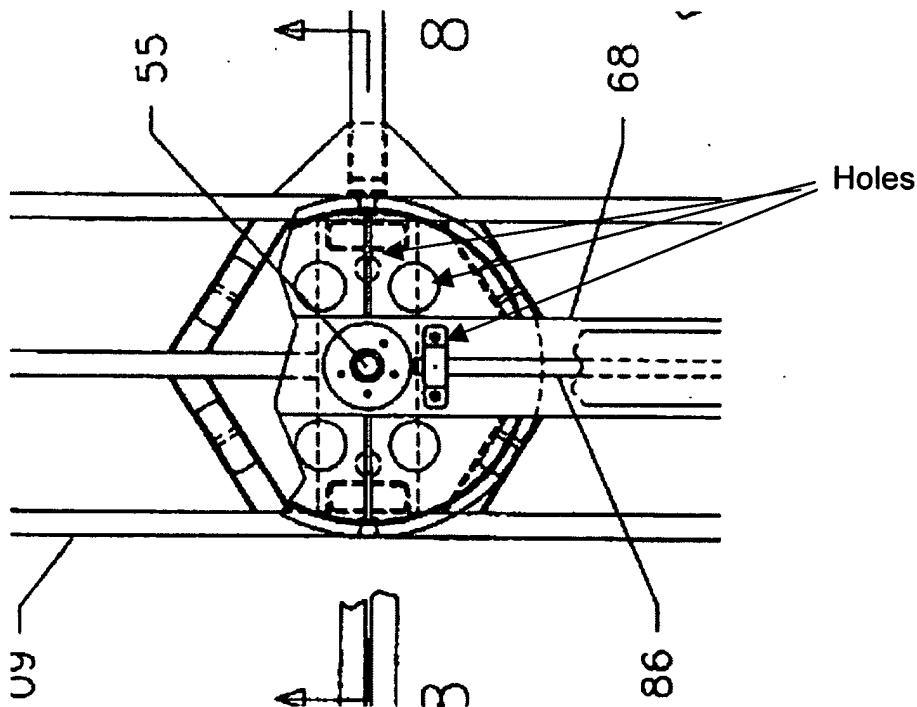
6. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Andol (US 6,086,082).
7. With respect to claim 1, referring to FIGS. 1-15 Andol '082 discloses a system 10 comprising a bearing plate 64,82, rear portion 28, truck or trailer 10, positioning means 112, 114, rotation stop means 140, 150, 76, 78, mounting frame 40, first frame section

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109, second frame section 109, lateral beams 36, first frame rail 18, second frame rail 18, bracket 64, turntable or thrust bearing 66, 72, first wheel assembly, 60, second wheel assembly 60, first rotation lock 140, second rotation lock 140, bumper 30,32, first bumper tab 115, and second bumper tab 115, first travel lock, col. 7, lines 9-11, and second travel lock, col. 7, lines 9-11. It is noted that Andol '082 anticipates that two travel locks may be employed. Col. 7, lines 14-15.

8. With respect to claim 2, referring to FIGS. 6-8 Andol '082 discloses an arc shaped bearing plate 64,82.

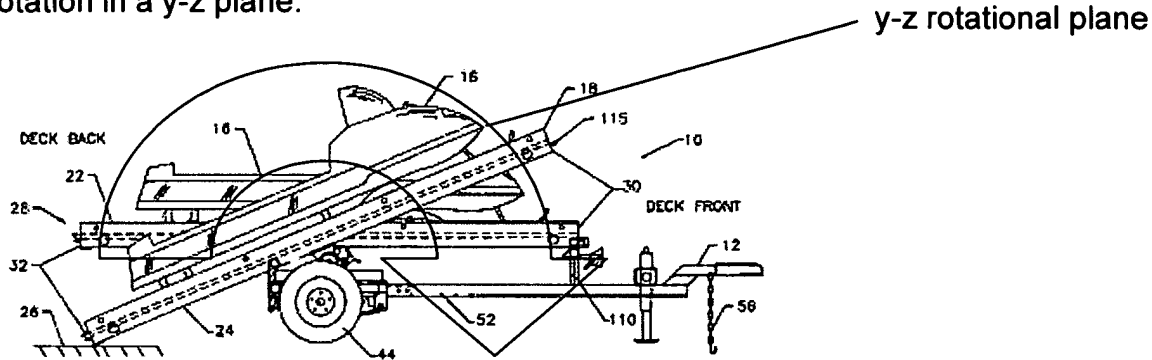
9. With respect to claim 3, referring to FIG. 6 Andol '082 discloses a bearing plate 64,82 having holes as defined by those apertures as shown below.



10. With respect to claim 4, referring to FIG. 6 Andol '082 discloses first travel stop 150, and second travel stop 150. It is noted that Andol '082 is not limited to merely

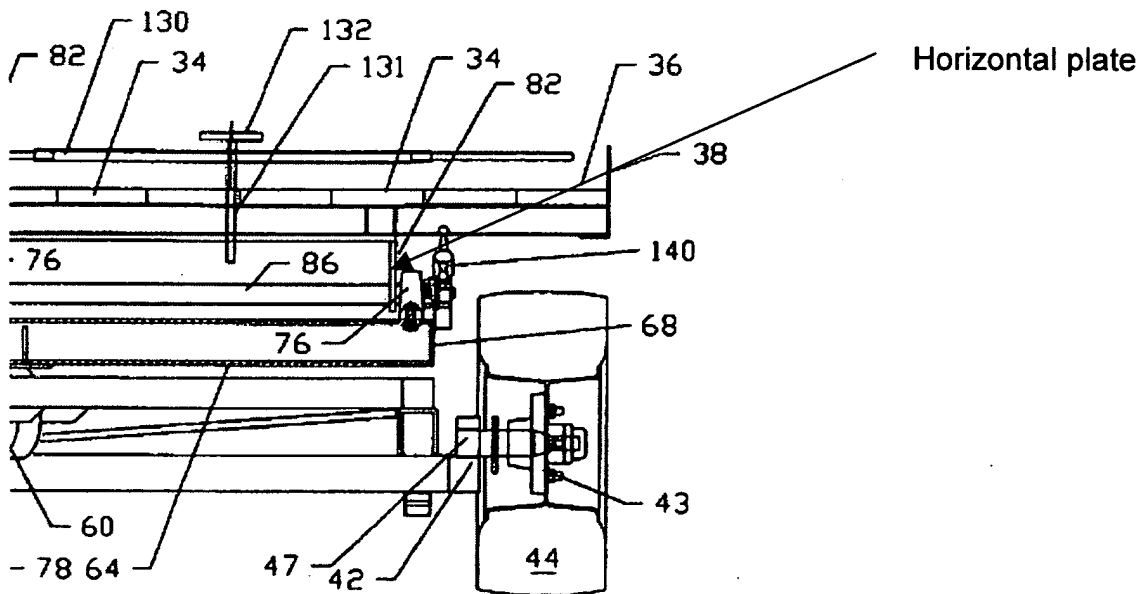
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allowing travel of the mounting plate to 180 degrees in an x-y plane but also allows rotation in a y-z plane.



11. With respect to claim 5, referring to FIG. 6 Andol '082 discloses first travel stop 150, and second travel stop 150 which allows 180 degrees of rotation.

12. With respect to claim 6, referring to FIGS. 6-8 Andol '082 discloses first rotation lock 150, mounting bracket 76, horizontal plate 82 see below, hole, spring loaded pin 140, 142, 144, second rotation lock 150, mounting bracket 76, horizontal plate 82, hole, spring loaded pin 140, 142, 144.



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13. With respect to claim 7, referring to FIG. 1-5 Andol '082 discloses first travel lock, lock tab 115, hole in travel lock tab, bumper tab 114, hole in first bumper tab, second travel lock, lock tab 115, hole in travel lock tab, bumper tab 114, and a hole in second bumper tab, and first and second pit pins 150. It is noted that Andol '082 anticipates alignment of first and second travel lock tabs. See Col. 7, Ins. 3-19.

14. With respect to claim 8, referring to FIG. 6 Andol '082 discloses a first bumper tab 114 angled to truck or trailer, and a second bumper tab 115 angled to truck or trailer. It is noted that Andol '082 anticipates that two travel locks may be employed. Col. 7, lines 14-15.

## **DETAILED ACTION**

### ***Conclusion***

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 3,945,521 to Decker discloses a rotating mounting plate having travel locks and rotation locks.

US 3,604,579 to Jenkins discloses a rotating mounting plate with travel locks and rotational locks.

US 6,328,508 to Jines discloses rotational locks.

US 6,010,018 to Pech discloses rotational locks for turntables.

US 5,259,720 to Lobner discloses a rotating means for a turntable with a travel lock.

US 3,757,972 to Martin discloses a rotating mounting plate with travel locks.

US 3,720,336 to Murray et al. discloses a rotating turntable or thrust bearing with travel lock-pins and rotation lock-pins.

US 885,154 to Magnuson discloses a rotating mounting plate.


US 4,391,477 to Morrow discloses a turntable with rotation locks and travel locks.  
US 3,913,417 Vangor discloses turntable with rotational locks.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory W. Adams whose telephone number is (703) 305-0555. The examiner can normally be reached on M-F, 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen D. Lillis can be reached on (703) 308-3248. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GWA



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